

**To:** Erin Foresman/R9/USEPA/US@EPA[]  
**From:** "Nepstad, Michael G SPK"  
**Sent:** Tue 11/30/2010 11:34:22 PM  
**Subject:** FW: Another BDCP Federal document for review and comment (UNCLASSIFIED)  
[improvebdcpprocessdraft112810.doc](#)

Classification: UNCLASSIFIED  
Caveats: NONE

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-----Original Message-----

From: Nepstad, Michael G SPK  
Sent: Monday, November 29, 2010 2:55 PM  
To: Toland, Tanis J SPK; Turner, Claire Marie SPK; Olsen, Randy P SPK; Nagy, Meegan G SPK; Dietl, Michael L SPK; Robershotte, Paul J SPD  
Subject: Another BDCP Federal document for review and comment (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: FOUO

Attached is a document from David Nawi of DOI listing changes to the BDCP process he is considering proposing to the state and contractors. Below are my planned comments. Send to others at Corps who should comment. Please send me your comments and I'll send them a consolidated list. They want a reply back by 4 pm Thursday. Thanks

These comments are based on the assumption that the intent remains that all five Federal agencies will review and make their decisions on BDCP at around the same time. Add the following to the list:

- 1) All five (5) Federal agencies need to have complete and full access to the consultants doing the work.
- 2) The five (5) Federal agencies include EPA and USACE.
- 3) All five (5) Federal agencies would receive information/drafts at the same

time.

4) All five (5) Federal agencies should be on the modeling team and have access to all modeling information, including preliminary results, modeling assumptions and baselines.

5) Where does USDA, CEC, NAS and USGS fit in to the process?

6) The Corps would recommend a flood flow/flood risk assessment team which would include the Corps and consultant modelers, which would look at the flood impacts of the proposed actions not only in the Yolo Bypass but also Delta wide.

7) Schedules need to include all five (5) Federal agencies permitting and review processes, not just that of the fishery agencies and BOR.

8) There also needs to be a clear pathway for making comments with back check drafts so commenter's can see where and how their comments were addressed and other agencies can see each other's comments.

9) The Corps would like to be able to work directly with the consultants and the EPA to develop and analyze the additional alternatives needed for the LEDPA process under our regulations. The Corps LEDPA analysis is not constrained to only alternatives contained within the EIS, and in addition would be focused on those aspects of the BDCP which would require a Corps permit. Such information would be used to develop an additional document used in support of the section 10/404 permit application review process.

10) The Corps would like to be able to work directly with the consultants to develop and analyze the information needed for our section 408 regulatory process.

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